

### Amendments to the Claims:

1-162 (canceled).

163 (currently amended): A machine-implemented method for personalized music or entertainment, the method comprising:

- capturing, at a user-device, details of control actions by a user on pieces or compositions; wherein said control actions are user actions that:
  - affect the current playback of a piece or composition, or
  - find or select a piece or composition, or
  - designate a piece or composition for playback;
- storing in one or more memories, ~~determining, automatically,~~ a user's rating for each piece or composition in a plurality of pieces or compositions; wherein a ~~user's~~ said user's rating for a ~~said piece or composition~~ is represents an amount of preference of the user for a said piece or composition; wherein a said user's rating was determined by using said details of at least partially based on previous said control actions by said user;
- playing ~~selecting~~ automatically, at least one piece or composition; wherein the piece or composition is custom selected for said user by using, ~~based on~~ said user's ratings.

164 (currently amended): A method as in claim 163 wherein said control actions are user actions to ~~repeat, replay, or to go back to~~ repeat or replay a piece or composition that previously played; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to repeat or replay, the piece or composition.

165 (currently amended): A method as in claim 163 wherein said control actions are user actions to select or designate a particular piece or composition for playback; wherein a said user's rating is influenced toward a higher preference, by a user control action or actions that select the piece or composition for playback.

166 (currently amended): A method as in claim 163 wherein said control actions are user actions to skip or forward-past the rest of a currently playing piece or composition; wherein a said user's rating is influenced toward a lower preference, by a user control action or actions that skip or forward-past the rest of the piece or composition that is currently playing.

167 (currently amended): A method as in claim 163 wherein said control actions are user actions to stop a currently playing piece or composition; and initiate the play of another piece or composition; wherein a said user's rating is influenced toward a lower preference, by a user control action or actions that stop the playing piece or composition that is playing; and initiate the play of another piece or composition.

168 (currently amended): A method as in claim 163 wherein the sooner said user took a control action or actions; to stop a currently playing piece or composition, in-order to experience another piece or composition; the more said user's rating, for the stopped piece or composition, is influenced toward a lower preference.

169 (currently amended): A method as in claim 163 wherein, a said user's rating is at least partially based on how quickly said user took control action to avoid a currently playing piece or composition; when said control action occurred after said user has experienced said avoided piece or composition for at least a recognition-time.

170 (currently amended): A method as in claim 163 wherein a said user's rating is at least partially based on how quickly said user took control action to avoid a playing piece or composition; wherein the sooner the user took an avoiding action, the more a said user's rating is adjusted toward a lower preference ~~greater the affect on the user's rating~~ for the avoided piece or composition.

171 (currently amended): A method as in claim 163 wherein a said user's rating for a piece or

composition is determined using at least partially based on a plurality of individual said user control actions that occurred on a plurality of different occasions and/or at different user-devices; wherein said control actions were applied to the same piece or composition.

172 (currently amended): A method as in claim 163 ~~wherein said control actions occur at a plurality of user devices~~; wherein said user's rating is determined using at least partially based on said user's control actions that occurred at a at said plurality of user devices; wherein information about said user's control actions or user's ratings is automatically distributed across at least one network or communication path to said plurality of user devices.

173 (currently amended): A method as in claim 163 wherein said control actions occur at a plurality of user devices; wherein said user's rating is determined using at least partially based on said user's control actions that occurred at a at said plurality of user's devices; wherein said selecting is at least partially coordinated, when said user switches between using different user devices of said plurality of user devices.

174 (previously presented): A method as in claim 163 wherein the more favorable a said user's rating for a piece or composition, the sooner the piece or composition will be selected again.

175 (currently amended): A method as in claim 163 wherein, when a said user's rating for an a said piece or composition is below a defined level of preference, the said piece or composition will not be selected again until at least a defined amount of time has elapsed from the prior ~~selection~~ playback of the said piece or composition.

176 (previously presented): A method as in claim 163 wherein a said piece or composition is not selected when a said user's rating for said piece or composition is below a defined level of preference.

177 (currently amended): A method as in claim 163 wherein a history of said details about said control actions is saved; wherein a said user's rating can be determined using said saved history of details of a plurality of individual said user's control actions.

178 (currently amended): A method as in claim 163 wherein ~~further comprising: playing~~ a said selected piece or composition is played; when there are no pending user control actions available to be applied or satisfied.

179 (currently amended): A method as in claim 163 wherein ~~further comprising: playing~~ ~~automatically~~ a sequence of said selected ~~entertainment~~ pieces or compositions that is customized for said user is played; when there are no pending user control actions available to be applied or satisfied.

180-205 (canceled).

206 (new): A method as in claim 163 wherein the details of a said control action, cause a said user's rating to be adjusted toward a more favorable or less favorable preference.

207 (new): A method as in claim 163 further comprising: adjusting a said user's rating toward a more favorable or less favorable preference, based on the details of a said control action.

208 (new): A method as in claim 163 wherein a said user's rating is updated by adjusting the prior preference amount toward a higher or lower preference, based on the details of a newer user control action that was applied to the piece or composition.

209 (new): A method as in claim 163 wherein a said user's rating is adjusted toward a more favorable or less favorable preference by each of a plurality of said user's control actions that occurred on a plurality of different occasions; wherein the user's rating is adjusted by each control action, in the order that the control actions occurred; wherein the amount the rating is adjusted is based upon details of each control action.

210 (new): A method as in claim 163 wherein a said user's rating is determined by a plurality of control action applied to the same piece or composition that occurred on different occasions; wherein the user's rating is adjusted toward a higher or lower preference by each control action; in the order that the control actions occurred; wherein the amount the rating is adjusted by each control action, is based upon details of each control action.

211 (new): A method as in claim 163 wherein said control actions are user actions to cause a piece or composition that has just finished playing, to start playing again; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to start playing again.

212 (new): A method as in claim 163 wherein said control actions are user actions to search or find a specific piece or composition; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to search or find a specific piece or composition.

213 (new): A method as in claim 163 wherein said control actions are user actions occurring while a sample of a piece or composition is playing, wherein said control actions cause the full piece or composition to be played.

214 (new): A method as in claim 163 wherein said details of a control action implicitly indicate said user's preference for a said piece or composition.

215 (new): A method as in claim 163 wherein the details of individual control actions that occurred on

a plurality of occasions for the same piece or composition; are captured and saved for use in determining a said user's rating.

216 (new): A method as in claim 163 wherein the details of each control action is saved; wherein a rating is determined by using the saved details of each of a plurality of said control actions.

217 (new): A method as in claim 163 wherein the details of control actions include how the playback of a piece or composition was initiated by said user.

218 (new): A method as in claim 163 wherein details of said control actions include the amount or portion of a piece or composition that was played.

219 (new): A method as in claim 163 wherein said user-device responds with highest priority to user control commands; and when determining that said user device has completed execution of all said user control actions; then the playback of a sequence of one or more said selected pieces or compositions is automatically initiated.

220 (new): A machine-implemented method for personalized music or entertainment, the method comprising:

- capturing, at a user-device, details of different control actions on pieces or compositions by a user; wherein said control actions are user actions that:
  - affect the current playback of a piece or composition, or
  - find or select a piece or composition, or
  - designate a piece or composition for playback;
- determining automatically, for a plurality of pieces or compositions, a rating of said user for each piece or composition; wherein a said user's rating represents an amount of preference of the user for a said piece or composition; wherein a said user's rating is at least partially based on said details of different control actions;
- updating automatically, said user's ratings using said details of different control actions by said user; and
- selecting automatically, at least one entertainment piece or composition; wherein the piece or composition is custom selected for said user by using said updated user's ratings.

221 (new): A method as in claim 220 wherein the details of a said control action, cause a said user's rating to be adjusted toward a more favorable or less favorable preference.

222 (new): A method as in claim 220 wherein the details of individual control actions that occurred on a plurality of occasions for the same piece or composition; are captured and saved for use in determining a said user's rating.

223 (new): A method as in claim 220 wherein a said user's rating for a piece or composition is determined using a plurality of individual said user control actions that occurred on a plurality of different occasions and/or at different user-devices; wherein said control actions were applied to the

same piece or composition.

224 (new): Apparatus for personalized music or entertainment, said apparatus comprising:

- means for capturing details of control actions by a user on pieces or compositions; wherein said control actions are user actions that:
  - affect the current playback of a piece or composition, or
  - find or select a piece or composition, or
  - designate a piece or composition for playback;
- one or more memories for storing a user's rating for each piece or composition in a plurality of pieces or compositions; wherein a said user's rating represents an amount of preference of the user for a said piece or composition; wherein a said user's rating was determined by using said details of previous said control actions by said user;
- means for playing at least one piece or composition; wherein the piece or composition is custom selected for said user by using said user's ratings.

225 (new): A method as in claim 224 wherein the details of a said control action, cause a said user's rating to be adjusted toward a more favorable or less favorable preference.

226 (new): A method as in claim 224 wherein the details of individual control actions that occurred on a plurality of occasions for the same piece or composition; are captured and saved for use in determining a said user's rating.

227 (new): A method as in claim 224 wherein a said user's rating for a piece or composition is determined using a plurality of individual said user control actions that occurred on a plurality of different occasions and/or at different user-devices; wherein said control actions were applied to the same piece or composition.



228 (new): One or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processing devices, implement the method of:

- capturing, at a user-device, details of different control actions on pieces or compositions by a user; wherein said control actions are user actions that:
  - affect the current playback of a piece or composition, or
  - find or select a piece or composition, or
  - designate a piece or composition for playback;
- determining automatically, for a plurality of pieces or compositions, a rating of said user for each piece or composition; wherein a said user's rating represents an amount of preference of the user for a said piece or composition; wherein a said user's rating is at least partially based on said details of different control actions;
- updating automatically, said user's ratings using said details of different control actions by said user; and
- selecting automatically, at least one entertainment piece or composition; wherein the piece or composition is custom selected for said user by using said updated user's ratings.

229 (new): A method as in claim 228 wherein the details of a said control action, cause a said user's rating to be adjusted toward a more favorable or less favorable preference.

230 (new): A method as in claim 228 wherein the details of individual control actions that occurred on a plurality of occasions for the same piece or composition; are captured and saved for use in determining a said user's rating.

231 (new): A method as in claim 228 wherein a said user's rating for a piece or composition is determined using a plurality of individual said user control actions that occurred on a plurality of different occasions and/or at different user-devices; wherein said control actions were applied to the same piece or composition.